

submissions

From: Michael Sheridan [REDACTED]
Sent: Thursday, 28 July 2016 12:55 PM
To: submissions
Subject: Submission – Proposal P1042, Low THC Hemp Seeds as Food

Call for submissions – Proposal P1042

Low THC Hemp Seeds as Food

Submission by: Michael Sheridan

Hi FSANZ,

In response to your proposed draft food regulatory measure I submit the following for consideration:

In the Standard for *Uniform Scheduling of Medicines and Poisons* (SUSMP) (Australian Government, No.4, July 2013, p.213 & 217) Cannabis is a -

Schedule 9 Prohibited Substance except:

- (a) when separately specified in these Schedules; or
- (b) processed hemp fibre containing 0.1 per cent or less of tetrahydrocannabinol and products manufactured from such fibre.

Tetrahydrocannabinols and their alkyl homologues except:

- (a) when separately specified in this Schedule;
- (b) when included in Schedule 8;
- (c) in hemp seed oil containing 50mg/kg or less of Tetrahydrocannabinols when labelled with a warning statement: Not for internal use; or Not to be taken; or
- (d) in products for purposes other than internal human use containing 50 mg/kg or less of Tetrahydrocannabinols.

The Health (Drugs and Poisons) Regulation 1996 under The Health Act 1937

Describes the regulations regarding dispense, prescribe, sell or use dronabinol as follows (not extant):

Chapter 2 Controlled drugs

Part 3 Regulated controlled drugs

77 Approved drug—dronabinol (delta-9-tetrahydrocannabinol)

Subject to section 74(3), a person must not dispense, prescribe, sell or use dronabinol unless the person—

- (a) is a doctor, or a member of a class of doctors, approved for the purpose and dispenses, prescribes, sells or uses the drug under the approval; or
- (b) is a pharmacist and dispenses dronabinol on the prescription of a doctor who has an approval to prescribe it.

Maximum penalty—80 penalty units.

Part 3A Medicinal cannabis

Division 1 Preliminary

78B Definitions for part

In this part— approved good means a registered good or a listed good within the meaning of the *Therapeutic Goods Act 1989* (Cwlth).

cannabis product means any product—

- (a) that is or was any part of a plant of the genus *Cannabis*, whether living or dead; or
- (b) otherwise derived, wholly or in part, from any part of a plant of the genus *Cannabis*, whether living or dead; or
- (c) that has, or is intended by the manufacturer of the product to have, a pharmacological effect that is substantially similar to the pharmacological effect of a product mentioned in paragraph (a) or (b).

medicinal cannabis means a cannabis product that is—

- (a) not an approved good; and
- (b) used, or is intended by the manufacturer of the product to be used, for human therapeutic purposes; and
- (c) is a controlled drug, other than a regulated controlled drug.

78E Grant of medicinal cannabis approval

(1) The chief executive may grant an approval (a medicinal cannabis approval) to a doctor to facilitate the treatment of a particular patient of the doctor with medicinal cannabis.

(2) A medicinal cannabis approval is an endorsement.

I could not locate cannabis specified in other Schedules, and the SUSMP exempts cannabis hemp fibre only at 0.1% or less concentration. Therefore given the SUSMP and QLD HDPR Regulation I would be of the opinion that in QLD one cannot eat hemp seeds without an endorsement as it is a regulated controlled drug, unless one eats only the hemp fibre containing 0.1 per cent or less of tetrahydrocannabinol. Therefore this submission may impact upon other Acts and Regulations and subordinate legislation. I recommend FSANZ consultation with State and Territory Government Medicines and Poisons Branches on this issue.

Kind Regards,

Michael Sheridan